

REMARKS

The Office Action of June 23, 2006 included rejections relying on publications to Roos (US 2003\0060587) and/or Liesen (US 2004\0092409). Applicants submit herewith a Declaration under 37 C.F.R. §1.131 proving that Applicants invented the subject matter of the present application prior to the effective dates of Roos and Liesen. Applicants have thus sworn behind the effective dates of the references relied upon by the Office and thereby disqualified Liesen and Roos as prior art to the claimed invention. Applicants request withdrawal of the rejections.

Further with regard to the rejection of Claims 1 and 27-29 in view of the combination of Roos and Liesen (see paragraph no. 10 on page 7 of the June 23, 2006 Office Action), Applicants submit that the combination of the references is not supportable and the rejection should be withdrawn. Previously presented Claims 27-29 recite a methyl(meth)acrylate-containing polymer. The polymer of Liesen is one that “is essentially free from methyl(meth)acrylate” (see the Abstract of Liesen). In fact, Liesen repeats this feature throughout the Liesen publication (see for example paragraphs [0003], [0004], [0007], [0026], [0027], [0028], [0042] and [0044] of Liesen).

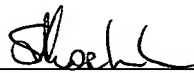
Applicants submit that those of ordinary skill in the art would have no expectation of success nor would those of ordinary skill in the art be motivated to use any of the teachings of Liesen to form a composition that included a methyl(meth)acrylate-containing polymer on the grounds that Liesen explicitly, consistently and forcefully teaches that methyl(meth)acrylate should be excluded from the Liesen compositions. Applicants submit that Liesen teaches away from any composition including a methyl(meth)acrylate polymer and therefore any composition containing a methyl(meth)acrylate polymer cannot be suggested by Liesen in combination with any of the other prior art relied upon by the Office in rejecting the present claims.

Applicants thus submit that the subject matter of at least dependent Claims 27-29 is further patentable over the combination of Roos and Liesen.

For the reasons discussed above, Applicants submit that all now-pending claims are in condition for allowance and respectfully request withdrawal of the rejections.

Respectfully submitted,

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